

### **REMARKS/ARGUMENTS**

1. Claims 1-66 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,638,737 (hereinafter “Mattson”) in view of U.S. 6,109,881 (hereinafter “Snodgrass”).

The claims are directed generally to bezels and bezel assemblies for delivering pneumatic pressure, e.g., to a pneumatically actuated pump cassette. Claim 49 has been amended for consistency with the other claims, although Applicants respectfully submit that such amendment is not made for reasons relating to patentability and should not be treated as such.

Applicants respectfully submit that neither Mattson nor Snodgrass teaches or otherwise suggests bezels and bezel assemblies for delivering pneumatic pressure as in the presently claimed invention. Rather, Mattson relates to a mechanical pumping mechanism in which pistons 40a, 40b are mechanically reciprocated back and forth, with each piston 40a, 40b including splines 44 which, among other things, allow the piston to invert as the piston is moved back and forth between a fully retracted position and a fully advanced position. Mattson does not use pneumatic pressure to operate pumps. Snodgrass relates to pneumatically operated diaphragm pumps that do not use bezels or bezel assemblies within the context of the subject patent application.

Applicants respectfully submit that Mattson simply does not teach the limitations suggested by the Examiner and therefore Mattson fails to contribute the claim elements suggested by the Examiner. As a result, to the extent Mattson could be combined with Snodgrass as suggested by the Examiner, such combination clearly would not include each and every one of the claimed limitations.

For example, the Examiner argues that Mattson teaches “a bezel 70 for use in delivery of a pressure having a rigid block 74 having a plurality of ports 52 on a port side 30 of the rigid block.” In fact, Mattson’s reference numeral 70 is not a bezel but instead refers to the entire pumping mechanism shown in FIG. 1 including a pair of stepper motors, or pumping motors 72a, 72b, which in turn rotationally engage, through attached lead screws 43a, 43b, a threaded portion 41a, 41b of each piston 40a, 40b (see Mattson,

column 5, lines 37-41). Reference numeral 74 is actually a retaining door that tightly constrains the cassette 20 against the upper surface of the pump mechanism (see Mattson, column 6, lines 18-21). Reference numeral 30 is not a port side of the door 74 but is instead a pump chamber. Reference numeral 52 is not a bezel port but is instead a collar portion of the pump assembly base 50 (see Mattson, column 4, lines 37-38), which is not even part of the door 74. To the extent that door 74 could be considered to be a rigid block of a bezel, the collar 52 is not part of the door 74 and therefore cannot possibly be a bezel port integrally molded on a port side of the bezel as claimed.

The Examiner further asserts that Mattson includes “each port 52 providing a solvent bondable tubing connection 48a and 48b to the bezel.” In fact, reference numerals 48a and 48b refer to pressure sensors that are situated within the inner hubs of the pistons 40. Mattson does not involve pneumatic tubing and does not describe or otherwise suggest solvent bondable tubing connections.

The Examiner further asserts that Mattson includes “a plurality of cavities 56 and 58 on a pumping side 72 of the rigid block, each cavity in fluid communication, via 50a, through the rigid block with one of the ports 52 for delivering a pressure applied to the port through the solvent bondable tubing connection 48.” In fact, reference numeral 56 is a central passageway of the collar 52 (see Mattson, column 4, lines 38-39), not a cavity in the door (i.e., rigid block) 74. Reference numeral 58 is a receiving surface of the base 50, not a cavity in the door (i.e., rigid block) 74. Reference numeral 72 is a stepper or pumping motor that is separate from the door 74.

Applicants respectfully submit that the Examiner’s characterizations of other elements of Mattson (e.g., the ribs, the gasket) are similarly inconsistent with Mattson’s disclosure and the subject patent application.

Thus, Applicants respectfully submit that all of the claims are allowable over Mattson and Snodgrass both alone and in combination.

2. Applicants have reviewed the prior art made of record by the Examiner (i.e., U.S. Patent Application Publication No. 2003/0229302 in the name of Robinson et al.) and believe that the claims are allowable over Robinson because, among other things, Robinson

does not appear to teach or otherwise suggest the claimed inventions, including bezels and bezel assemblies as in the claims.

3. Accompanying this response is a supplemental Information Disclosure Statement disclosing two newly cited references from related U.S. patent application no. 10/697,176, namely U.S. patent no. 4,798,580 (DeMeo) and U.S. patent no. 5,267,956 (Beuchat). Both of these references relate generally to pump cassettes for use with a pump (e.g., a peristaltic pump). Applicants believe that the claims are allowable over both DeMeo and Beuchat because, among other things, neither DeMeo nor Beuchat appears to teach or otherwise suggest the claimed inventions, including bezels and bezel assemblies as in the claims. Nevertheless, Applicants request that the Examiner perform an independent analysis of these references.

4. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

5. Applicants petition for a two month extension of time. In the event that a further extension is needed, this conditional petition of extension is hereby submitted. Applicants request that deposit account number 19-4972 be charged for any fees that may be required for the timely consideration of this application.

DATE: November 15, 2007

Respectfully submitted,

/Jeffrey T. Klayman, #39250/

Jeffrey T. Klayman.  
Registration No. 39,250  
Attorney for Applicant

Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
(617) 443-9292

01062/00D75 774503.1